



Nantucket Planning Board

APPROVED MINUTES

Monday, April 8, 2013
6:30 PM
4 Fairgrounds Road
Public Safety Facility Community Room
First Floor
www.nantucket-ma.gov

(AGENDA SUBJECT TO CHANGE)

The complete text, plans, application, or other material relative to each agenda items are available for inspection at the Planning Office at 2 Fairgrounds Road between the hours of 8:30 AM and 4:30 PM

Attending Board Members: Barry Rector, Sylvia Howard, John McLaughlin, Nathaniel Lowell and Linda Williams

Attending Alternate members: Joseph Marcklinger

Absent Members: None

Staff in attendance: John Brescher, Leslie Snell and Catherine Ancero

Late Arrivals: Diane Coombs (arrived at 6:35PM) and Stephen Maury (arrived at 7:25PM)

Early Departures: None

I. Call to order:

Chairman Rector called the meeting to order at 6:36 PM

II. Approval of the agenda:

Ms. Williams made a motion to approve the agenda, duly seconded and voted 5-0 in favor.

III. Public Hearings:

- **#03-13 Great Harbor Yacht Club Amendment, Washington St., Salt Marsh Way & Union St., *action deadline 05-12-13***

Representing the applicant is Dan Mulloy. Mr. Mulloy briefly discussed two new requests, Open Space and on-site parking spaces. Ms. Williams reiterated that her concerns are the same from the prior meeting regarding the 1000 gallon tank near the travel width and if worked out with Grey Lady Marine. Have reviewed it with Grey Lady and they still have the same concerns and applicant felt that it was the Board to make the determination. Ms. Williams questioned if they have looked at an alternate location within the scope of the state requires. Mr. Mulloy stated yes and it would be across the street which is not practical. It is costly to bury the tank. Mitchell Pykosz representative for Grey Lady Marine stated that concerns are still the same, the sighting due to maneuverability due to travel lift and the damage to machines. Mr. Pykosz stated that they are working with GHYC regarding licensing requirements. Chairman Rector opened the floor to the public. No comments were made. Ms. Williams made a motion to close the public hearing, duly seconded and voted 5-0. Ms. Williams made a motion to approve request number 2 (eliminate Condition 6.03 of the Permit, which requires the Board to conduct a parking study of the GHYC facilities), number 3 (Open Space provided on site due to a pending conveyance of portions of Lots 19 and 20 to an abutter), and number 4 (to update the amount of constructed on-site parking spaces), duly seconded and voted 5-0 in favor. Mrs. Snell wanted clarification if the applicant is withdrawing request number one (to relocate the 12,000 gallon underground fuel tank to a smaller 1,000 gallon above ground tank) or if they are entertaining the motion to deny the application without prejudice. Chairman Rector stated that they need

to act on it now. Mrs. Howard commented that she had no issues with the application request to item number one since the applicant was denied through the state and that the Fire Chief had no issues. Ms. Williams made a motion to deny the application without prejudice, duly seconded and voted 3-2 (Mrs. Howard and Chairman Rector opposed). Motion failed due to it requires a majority vote. Mrs. Howard made a motion to approve number one of the application, duly seconded and voted 3-2 (Ms. Williams and Mr. Lowell opposed). Motion failed due to it requires a majority vote. Mr. Mulloy stated that they are willing to withdraw item number one of the application. Ms. Williams made a motion to approve the applicants request to withdraw item number one without prejudice, duly seconded and voted 4-0 (Mrs. Howard abstained).

▪ **#7512 Brock's Court Subdivision, 44 Liberty Street, *action deadline 04-30-13***

Representing the applicant is Dan Mulloy. Mr. Mulloy stated that in the packet a ZBA decision is included and a revised subdivision plan. There was a brief discussion on the ZBA decision. Mrs. Howard questioned that there should be a sequence to which Board the applicants should seek first for their request. Mr. McLaughlin agreed. Chairman Rector opened the floor to the public. Kendra Kinscherf briefly commented that the application is not in compliance with the Planning Board's Rules and Regulations Governing the subdivision. Ms. Williams made a motion to close the public hearing, duly seconded and voted 5-0 in favor. Ms. Williams made a motion to approve the subdivision on the following requirements and agreements that the subdivision is restricted to no further subdivision, Lot 2 limited to one dwelling and have current existing driveway removed, Lot 1 limited to two dwellings and no parking on the proposed modified cul-de-sac, duly seconded and voted 5-0 in favor.

▪ **#09-13 Nantucket Golf Club Amendment, 250 Milestone Road, *action deadline 07-07-13***

Representing are Attorney Sarah Alger and Mark Lucus. The applicant is requesting to modify the groundwater sampling and pesticides. Chairman Rector opened the floor to the public. **Note: Stephen Maury arrived at 7:25 PM.** Cormac Collier clarified the "well" discussion, wells that Ms. Williams thought may be contaminating, and they are test wells. Mr. Collier stated that this means no longer testing for pesticides residues in there wells and he hired Scott Horsley to review the models and testing. Also Mr. Collier stated that he did not see documentations from Bob Gardner, Wannacomet Water Company. Mr. Collier expressed that there should be some due diligence going forward with this. Mrs. Snell stated that the Board could request for a peer review and this would be the time to request for that however they would need to ask the applicant to fund for this. Victoria Waterhouse expressed her concerns regarding the stopping of testing wells and which she feels will have an impact on the septic system and the nitrogen components. Mr. McLaughlin made a motion to close the public hearing, duly seconded and voted 5-0 in favor. Ms. Williams made a motion to approve with the following conditions that within the three weeks of filing the decision the applicant provide to the Planning Board members a list of proposed pesticides they will use as a result of the risk assessment model, SCI-GROW and that the applicant consult with Bob Gardner of the Wannacomet Water Company, duly seconded and voted 5-0 in favor.

▪ **#10-13 NIR Retail LLC, Old South Wharf, *action deadline 07-07-13***

Representing are Attorney Marianne Hanley and applicant John Bartlett. The applicant is proposing to sell farm-made and grown products, prepared foods, beverages, and other grocery items within the existing space. The applicant is not proposing parking since a majority of customers will be pedestrians in the Old South Wharf. The deliveries will be utilized by designated street loading zones in the South Wharf area. Chairman Rector opened the floor to the public. No Comments were made. Mr. Lowell made a motion to close the public hearing, duly seconded and voted 5-0 in favor. Mr. McLaughlin made a motion to approve the application, duly seconded and voted 5-0 in favor.

▪ **#11-13 Arrowhead Archaeology Corp., 112 & 114 Hinsdale Road, *action deadline 07-07-13***

Representing the applicant is Dan Mulloy. The owner, Arrowhead Archaeology Corporation, is requesting to relocate an existing storage building from 7 Arrowhead Drive (the Coffin building) containing 5980 square feet. Chairman Rector opened the floor to the public. No comments were made. Ms. Williams made a motion to close the public hearing, duly seconded and voted 5-0 in favor. Ms. Williams made a motion to approve the application, duly seconded and voted 5-0 in favor.

▪ **#12-13 Swift Rock, LLC, 326 Madaket Road, *action deadline 07-07-13***

Representing the applicant is Attorney Rick Beaudette. The owner, Anderson Grennan, Trustee Anderson Nominee Trust is requesting a modification to change condition 14 to change the required time of closure to 10 PM. Mr. Beaudette stated that this request only applies to the store. Chairman Rector opened the floor to the public. No comments were made. Ms. Williams made a motion to close the public hearing, duly seconded and voted 5-0 in favor. Ms. Williams made a motion to approve the application, duly seconded and voted 5-0 in favor.

▪ **#13-13 Stop & Shop, 21 & 31 Sparks Avenue, *action deadline 07-07-13***

Representing are Attorney Sarah Alger and applicant Bill O'Brien. The owner, WJG Realty Company, LLC is requesting a modification to allow the applicant to redesign, enlarge, and reconfigure the existing parking area at the north side of the existing store. Chairman Rector announced that he is employed by Island Pharmacy, a direct abutter and clarified that he has no financial interest and can act without any prejudice on this application.

Mrs. Snell stated that she did speak with the Stop & Shop representative and they did have a slight modification to the new parking they are proposing on the north side of the building. The new modification would allow parking lot to connect to the existing parking lot to improve the circulation and function better. There was a brief discussion regarding the relocation of the cross walk in the vicinity of the new Cumberland Farms exit only driveway and the Stop & Shop entrance and relocate that to the opposite side of the driveway where it is located now. Ms. Williams requested a low plantings or split rail fence to separate between Pleasant Street and the parking. Mr. Lowell asked how to enter to the new parking. Mrs. Alger stated through the back. Ms. Coombs questioned about the handicap spaces and the green spaces. She stated that she feels that it is important to have greenery in the parking area. Chairman Rector opened the floor to the public. Cormac Collier questioned if there was drainage modification proposal and questioned where the water runoff will be. Mrs. Alger will direct to the existing drainage. He also requested that if and when the Fire Department comes to an agreement that the open space not reduce for that next phase. Ms. Williams made a motion to close the public hearing, duly seconded and voted 5-0 in favor. Ms. Williams made a motion to approve the application with low vegetation screening, split rail fence on Pleasant Street side and drainage runoff to the existing drainage system and what staffs have incorporated as well to and the modification to the plan, duly seconded and voted 5-0 in favor.

IV. ANR's:

- **#7534 Fargo Thompson, Trustee of Wauwinet Road Nominee Trust; Neely, Inc; Keep Properties, Inc., 106 & 108 Wauwinet Road (Map 11 Parcels 31, 22 & 21)**
- **#7535 Samuel & Susan Chambers , Craig Carnaroli & Amie Thornton, 76 Somerset Road & 10 Sleepy Hollow Road (Map 66 Parcels 451.1 & 451.2)**
- **#7536 Edmund Geoffrey Verney & Elizabeth T. Verney, Trustees of the Close Hauled Trust, Off Eel Point Road (Map 40 Parcel 9)**
- **#7537 Trackside Revocable Trust, Carl D. England Jr. Trustee, 6 Canonicus Street, Surfside (Map 87 Parcel 113.2)**
- **#7538 Doreen Corkin, 3 W. Dover Street (Map 55.41 Parcel 170)**
- **#7539 50 RMVR, LLC, Jefferson Street & Madequecham Valley Road (Map 88 Parcels 69-73)**
- **#7540 Craig J. & Elisabeth E. Daly, 2 Nonantum Avenue, Surfside (Map 87 Parcel 5)**
- **#7541 Martha K. & Lance M. Kelly, 26 Kendrick Street (Map 71.3.1 Parcel 401)**
- **#7542 Zeke Dog, LLC, 2 Winn Street (Map 41 Parcel 183 (part)**
- **#7543 Kenneth R. Reed, 35 Vestal Street (Map 41 Parcel 182)**
- **#7544 David M. Broderick, 6 Coon Street (Map 55.1.4 Parcel 83)**
- **#7545 Marion Pietrowski, 3A, 3B Meader Street (Map 42.2.3 Parcels 39 & 40)**
- **#7546 Town of Nantucket, Portions of Norwood Street, Wiltshire Avenue (a.k.a. North Avenue) & Cumberland Avenue (a.k.a. Centre Avenue) (Map 71)**

Note: Mr. Marcklinger removed himself from the table.

Ms. Williams made a motion to approve ANR file numbers #7534 through #7546 in accordance with staff recommendations, duly seconded and voted 5-0 in favor.

V. Second Dwellings:

- **6 Grove Lane, Ludovico Del Balzo (Map 41 Parcels 162 & 162.1)**

Ms. Williams made a motion to approve 6 Grove Lane in accordance with the staff recommendations, duly seconded and voted 5-0 in favor.

VI. Previous Plans:

- **#02-98 Nantucket Airport, Bunker Road, *minor modification discussion***

Jesse Dutra Landscapes would like to operate a full scale landscape and pool construction business off the premises. Mr. Dutra is proposing to build a Hoop house for storage of tools, supplies and for equipment maintenance. Also upon request a greenhouse for growing organic annuals, perennials, herbs and vegetables. The lot will also be used for parking and storage of company's vehicle and heavy equipment and include staff parking. Ms. Williams made a motion to approve as a minor modification, duly seconded and voted 5-0 in favor.

- **#04-84 Kenneth C. Coffin, Inc. MCD, Old South Road & Arrowhead Drive, *minor technical discussion***

Attorney Kenneth A. Gullicksen, representing Island Gas, Inc. the contract purchaser of 9 Spearhead Road and 9 Arrowhead Drive submitted a letter, requesting that the property being purchased will not be operating a pit and its intended use and felt that no reason for the land to remain subject to the MCD and request for it to be removed from the MCD. Attorney Gullicksen requested that this matter be discussed as a technical correction and requires

no public hearing and notices. Ms. Williams made a motion that Island Gas, Inc. be excluded from the provisions of the MCD to the extent that the MCD is still applicable and that this is a minor technical correction, no public hearing and notices required, duly seconded and voted 5-0 in favor.

■ **#7491 John Adams Lane Subdivision, Form J (Lots A & B)**

The applicant is requesting the final lot to be released. The owner will post cash account to cover the cost of completing the required roadway improvements. The intent is to complete the dwelling construction prior to building the roadway. The total estimated cost is \$60,840. The applicant will provide a second check for the bike path contribution of \$8,000.00. Ms. Williams made a motion to approve the release of the final lots, duly seconded and voted 5-0 in favor.

VII. Preliminary Plan:

■ **#7547 93 Cliff Road Nominee Trust, Misha J. Petkevich, Trustee & Elizabeth Petkevich, Trustee, 91 & 93 Cliff Road (Map 30 Parcels 262 & 169), 3 lots, 3 buildable**

Representing the applicant is Don Bracken, Bracken Engineering, Inc. The applicant is proposing a three (3) lot subdivision and requesting a same waiver as that was granted to the John Adams Subdivision. Mr. Bracken stated that they are proposing a thirty foot wide right of way similar to John Adams. The applicant is proposing a twelve (12) foot wide gravel roadway with two foot shoulders to act as a common driveway. All three lots will utilize the existing curb cut from the rear. Service by own septic systems and by Town water. Any utilities proposed will be underground. No additional easements. The cul-de-sac radius will be reduced to forty feet. Ms. Williams expressed concern about using Shady Lane as frontage. There was brief discussion using Shady Lane as frontage and not having access from it. Staff suggested continuing this application for applicant to work with staff and for further review. Ms. Williams made a motion to continue this application to May 13, 2013 and that applicant work with staff, duly seconded and voted 5-0 in favor.

VIII. Public Comments:

No public comments were made.

IX. Other Business:

■ **41-81I Fayette, Coffin, Francis & Meader Streets**

The County Commissioners requested if the Planning Board members had any additional comments supporting the current plan before them. Ms. Williams made a motion to authorize the Chairman to sign a letter of support for Fayette, Coffin, Francis and Meader Street, duly seconded and voted 5-0 in favor.

■ Ms. Williams thanked staff for the great job done for Town Meeting.

X. Adjourn:

Chairman Rector adjourned the meeting at 8:30 PM.

Respectfully Submitted,
Catherine Ancero

Documents Included:

Staff Report

Agenda

Public Hearings:

- #03-13 Great Harbor Yacht Club Amendment, Washington St., Salt Marsh Way & Union St., *action deadline 05-12-13*
Document dated 012514 from Site Design Engineering, LLC
- #7512 Brock's Court Subdivision, 44 Liberty Street, *action deadline 04-30-13*
Application
- #09-13 Nantucket Golf Club Amendment, 250 Milestone Road, *action deadline 07-07-13*
Application
- #10-13 NIR Retail LLC, Old South Wharf, *action deadline 07-07-13*
Application
- #11-13 Arrowhead Archaeology Corp., 112 & 114 Hinsdale Road, *action deadline 07-07-13*
Document dated 031113 from Site Design Engineering, LLC
- #12-13 Swift Rock, LLC, 326 Madaket Road, *action deadline 07-07-13*
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- #13-13 Stop & Shop, 21 & 31 Sparks Avenue, *action deadline 07-07-13*
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ANR's:

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All ANR's came with an application and mylar plans along with two paper copies

Second Dwellings:

- 6 Grove Lane, Ludovico Del Balzo (Map 41 Parcels 162 & 162.1)

Application with plans

Previous Plans:

- #02-98 Nantucket Airport, Bunker Road, *minor modification discussion*
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- #7491 John Adams Lane Subdivision, *Form J (Lots A & B)*
Form J application

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Preliminary Plan:

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Application with plans

Public Comments:

No public comments were made.

Other Business:

- 41-81I Fayette, Coffin, Francis & Meader Streets